

# Technical Working Group Summary: Legislative Recommendations

## Recommendations to Improve Farm and Ranch Worker Health and Safety

### Consultation to Date

The Government of Alberta is committed to consulting with the agricultural community to draft common-sense rules that reflect the unique nature of farms and ranchers.

To fulfill that commitment, the Ministries of Agriculture and Forestry and Labour established six Technical Working Groups (TWGs) to make recommendations for the application of the Occupational Health and Safety (OHS) Code, *Employment Standards Code* and *Labour Relations Code* as well as OHS best practices and training. The TWGs included members from the agricultural sector, labour groups and technical experts.

TWG 3 provided advice and recommendations regarding the application of health-related requirements in the OHS Code, and TWG 4 provided advice and recommendations on the safety-related requirements in the OHS Code.

The 94 items below represent a summary of the recommendations of the TWGs 3 and 4, and some joint recommendations. The summary of the TWG recommendations and rationale are presented with reference to the OHS Code 2009 which sets the minimum standards that other industry sectors in Alberta must comply with. The entire OHS Code is available online and can be viewed by visiting [http://work.alberta.ca/documents/WHS-LEG\\_ohsc\\_2009.pdf](http://work.alberta.ca/documents/WHS-LEG_ohsc_2009.pdf). Recommendations made by the TWGs where there is no current corresponding OHS Code requirement are left intentionally blank.

### Get Involved

The Government of Alberta invites all Albertans to engage with the recommendations made by the TWGs. Your feedback will be used in conjunction with the TWG recommendations to inform any changes made to regulations. The full TWG reports are available at <https://www.alberta.ca/farm-and-ranch.aspx>.

We invite feedback in writing by February 26, 2018. Written comments can be sent to:

Farm and TWG recommendations feedback  
Occupational Health and Safety branch  
Alberta Labour  
8<sup>th</sup> Floor Labour Building  
10808-99 Avenue  
Edmonton, AB T5K 0G5

[FarmandRanch@gov.ab.ca](mailto:FarmandRanch@gov.ab.ca)

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TWG Report & Page Reference	Existing OHS Code Requirement	TWG Recommendation for Adopting, Modifying, or Exempting the Farm and Ranch Industry	Additional Context
3-7	<p><u>Part 1 – Definitions and General Application</u> Competent, in relation to a person, means adequately qualified, suitably trained, and with sufficient experience to safely perform work without supervision or with only a minimal degree of supervision.</p>	<p>Definition of “competent” should also apply in the farm/ranch industry .</p>	<p>A definition of “competent” ensures that farm workers can safely perform work with only a minimal degree of supervision or without supervision.</p>
3-7	<p><u>Part 1 – Definitions and General Application</u></p> <ul style="list-style-type: none"> <li>• 2 - A prime contractor is required when there are two or more employers involved in work at a worksite; responsible for coordinating health and safety communication at a worksite.</li> <li>• 2.1 An employer must make the OHS legislation available to workers</li> <li>• 2.2 - A plan must be written by a competent person.</li> <li>• 3 – An example of a standard listed would be those created by the Canadian Standards Association (CSA).</li> <li>• 3.1 Equipment must meet the requirements of the referenced standard at the time of manufacture.</li> <li>• 6 – The date the OHS Code came into force</li> </ul>	<p><b>No recommendation made by TWG</b></p> <ul style="list-style-type: none"> <li>• 2 – Prime contractor’s responsibilities.</li> <li>• 2.1 – Availability of legislation.</li> <li>• 2.2 – Designated person to prepare plan.</li> <li>• 3 – Adoption of standards.</li> <li>• 3.1 – Previous editions of referenced standards.</li> <li>• 6 – Coming into force</li> </ul>	
3-7	<p><u>Part 1 – Definitions and General Application</u> Definition of farming and ranching operations are contained in both the Farming and Ranching Exemption Regulation and the OHS Code.</p>	<p>Application of farming and ranching operation definition to include the following additional activities:</p> <ul style="list-style-type: none"> <li>• The operations of greenhouses, mushroom farms, nurseries or sod farms and riding schools.</li> <li>• Farm-raising finfish, shellfish or other aquatic animals within a confined space and under controlled feeding and harvesting conditions.</li> <li>• Associated operation and maintenance of equipment and facilities.</li> <li>• Associated transportation, application and conditioning of "own-use" materials.</li> </ul>	<p>Definitions recommended by the TWG would apply to these types of operations that are included in the agricultural community.</p> <p>TWG have recommended to expand the current definition of Farm and Ranch operations.</p>
3-73,74	<p><u>Part 1 – Definitions and General Application</u> Definition of worker does not apply to neighbours who volunteer.</p>	<p>OHS legislation should clearly identify that neighbours volunteering for other neighbours are not included in the worker definition.</p>	<p>The TWG was not able to make a consensus recommendation on this question, and has asked that government should make any necessary changes to clarify application of the OHS Code to volunteer activities.</p>

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3-7,8	<p><u>Part 2 – Hazard Assessment, Elimination and Control</u> Hazard assessments are required to document existing or potential hazards before work begins. This process involves affected workers and assesses tasks to ensure control measures are implemented to protect workers.</p>	<p>The existing OHS Code requirement applies if:</p> <ul style="list-style-type: none"> <li>• Simple tools, templates, best practices are created and available to employers to support them in implementing hazard assessment and control requirements.</li> <li>• An appropriately funded Industry-led safety association is created.</li> <li>• Government provides incentives, financial supports to help industry engage in the process, as well as provide assistance and resources.</li> <li>• Approach hazard control and elimination on an incremental, staged basis starting with highest risks.</li> <li>• Provide clarity for industry in interpretive areas to support application.</li> </ul>	<p>Hazard assessment provisions provide a consistent approach for employers and workers to identify and control hazards in the workplace. The TWG recommended ensuring hazard assessments within the context of the farm and ranch community include additional supports.</p>
3-8, 69-72	<p><u>Part 3 - Specifications and Certifications</u> All equipment must be used according to the manufacturer’s specification if they exist or those certified by a professional engineer.</p>	<p>Can be applied with the following exceptions: Legacy Equipment must be grandfathered, where legacy equipment means, “in existence prior to the expiration of one year after implementation of the Code revisions.”</p>	<p>The TWG felt that equipment already in use by a farm or ranch needed to be exempt from the requirements. This allows the ability to be innovative with equipment to reflect the nature of farming. The TWG did not come to a consensus recommendation on remaining sections of Part 3, including how to deal with the application of manufacturers’ specifications, home-built and home modified equipment.</p>
3-72	<p><u>Part 3 – Specifications and Certifications</u> Current OHS Code reflects technology and industry standards as of 2009.</p>	<p>Update legislation to reflect technological and other changes.</p>	<p>OHS requirements should reflect the applicable and most recent technology in the industry.</p>

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3-8	<p><u>Part 3 – Specifications and Certifications</u> Section 12(a) of the Code requires that an employer must ensure that equipment used is adequate for the task, used and maintained in a manner that will not adversely affect the health and safety of workers.</p>	<p>Section 12(a) should apply to the Farm and Ranch industry.</p>	<p>The TWG’s consensus recommendation was that requiring equipment to be of sufficient size, strength and design to perform the function intended is reasonable in the farm and ranch industry.</p> <p>Under the TWG Recommendation, a competent worker (defined on page 2) would be required to ensure that equipment is well maintained, can be operated safely, and is being used in a manner suited to the task.</p> <p>The TWG did not have consensus recommendations on other section 12 requirements pertaining to rated capacity, modifications and use of the equipment as per manufacturer’s/professional engineer’s specifications (see next row).</p>
3-8	<p><u>Part 3 – Specifications and Certifications</u> The following sections in the Code are onuses on the employer in other industries to ensure the safety of the worksite:</p> <ul style="list-style-type: none"> <li>• 12(b) - Must not exceed equipment rated capacity or other limitations</li> <li>• 12(c) –Modifications to equipment that may affect structural integrity or stability must comply with manufacturer’s/engineer’s specifications</li> <li>• 12(d) - Equipment and supplies are erected, operated, maintained and dismantled in accordance with the manufacturer’s/engineer’s specifications.</li> <li>• 13 - Employer may comply with specifications certified by a professional engineer instead of the manufacturer if manufacturer’s specifications no longer available or equipment modified.</li> <li>• 14 – Procedures or specifications certified by a professional engineer must be in writing and stamped/signed.</li> <li>• 15 – Equipment required to be approved by a named organization must ensure the seal/stamp/logo/etc. of that organization is on the equipment and legible.</li> </ul>	<p><u>No recommendation made by TWG</u></p> <ul style="list-style-type: none"> <li>• 12(b)-(d) - Following specifications.</li> <li>• 13 – Manufacturer’s and professional engineer’s specifications</li> <li>• 14 - Certification by a professional engineer.</li> <li>• 15 – Approved equipment.</li> </ul>	<p>No recommendation made by TWG on the application of these sections because consensus could not be reached.</p>

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3-8	<u>Part 4 – Chemical Hazards, Biological Hazards and Harmful Substances</u> Ensure that worker exposure to harmful substances is kept low as reasonably practical and does not exceed the maximum exposure limits.	Applies, apart from exceptions recommended below.	The TWG recommended that farmers, based on a Hazard Assessment (defined on page 4) would take reasonably practical steps to protect farm workers from potential chemical and biological hazards.
3-8	<u>Part 4 – Chemical Hazards, Biological Hazards and Harmful Substances</u> Current requirement is measurements of occupational exposure limits and is only necessary if a hazard assessment identifies something measurable as a potential hazard.	Measurement of occupational exposure limits by experts only necessary if hazard assessment indicates a risk of exposure and controls cannot address the hazard.	The testing identified would only be required if, as part of the Hazard Assessment and control process, it was found to be necessary, or if there was a problem occurring (e.g. employee health complaints) that flagged a need for investigation so the employer could find out what the problem was and fix it.
3-20	<u>Part 4 – Chemical Hazards, Biological Hazards and Harmful Substances</u> These sections refer to potential workers exposure and workers overexposure.	Re-order sections 21 and 22.	Under the TWG Recommendation, Section 21 and 22 would deal with the inadvertent exposure of a worker to a harmful substance at a farm. In order to prioritize understanding for farmers and ranchers, the TWG recommended moving these provisions to the start of Part 4.
3-20	<u>Part 4 – Chemical Hazards, Biological Hazards and Harmful Substances</u> Language is consistent with that used in other industries and jurisdictions, and remains technical in nature.	Write OHS Code in plain language.	Clear, plain language is important to ensure understanding requirements and successful implementation.
3-20	<u>Part 4 – Chemical Hazards, Biological Hazards and Harmful Substance</u> The general rule in industries across Alberta is that employers must ensure workers do not eat, drink, or smoke tobacco in parts of a work site contaminated by a harmful substance.	Provisions referring to smoking tobacco need to be updated to include other means and substances.	The TWG recommended that this requirement should reflect other means in which contaminated products (tobacco and other substances) can enter the body (e-cigarettes, vaping, chewing).  Implementation of this recommendation would prohibit vaping, for instance, on parts of a farm and ranch that are contaminated by harmful substances.
3-9	<u>Part 4 – Chemical Hazards, Biological Hazards and Harmful Substances</u> Require showers to be reasonably accessible and appropriate to the hazard.	Clarify that compliance would not require the construction of showers in fields.	Installing showers in a farmers field would be impractical, due to lack of a building and or plumbing.

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3-9	<p><u>Part 5 – Confined Spaces</u> Additional requirements exist to address hazards that may be present in a confined space.</p> <p>Confined space hazards are defined as not designed or intended for continuous human occupancy and can become hazardous because of restricted entry or exit, oxygen deficiency, or flammable atmosphere.</p>	Applies; apart from exceptions below.	<p>The TWG Recommendation would require employers in the farm and ranch sector to have a written code of practice governing how workers enter and work in confined spaces, to ensure that workers are appropriately trained for working in confined spaces, and other requirements enshrined in other sectors of industry to protect the safety of the worksite.</p> <p>The TWG asked that the Government of Alberta develop farm specific education tools to assist the industry in compliance with confined spaces safety expectations.</p>
3-9	<p><u>Part 5 - Confined Spaces</u> Confined spaces require a code of practice, hazard assessment, worker training, an entry permit system and emergency response planning at a minimum to ensure worker safety.</p>	The TWG recommended that flat-bottomed grain bins be exempt from classification as confined spaces due to the low risk of atmospheric hazards that may be immediately dangerous to life and health (IDLH) as a result of bin design and the availability of an entry door. A provision exempting “structures containing grain” should be included in the farm and ranch section of the OHS Code.	Confined space safety measures outlined in this Part are supported for many farming examples, given the level of risk involved, with the exception of structures used for grain which may not be practical or appropriate in some situations.
3-9	<u>Part 5 – Confined Spaces</u>	Re-order sections.	Re-order provisions to put hazard assessment first to better reflect it is the underpinning of the safety process.
4-19	<p><u>Part 6 – Cranes, Hoists and Lifting Devices</u> This Part is related to operation, maintenance, and training requirements surrounding lifting devices. A lifting device is anything used to raise or lower materials or objects. Examples include safety precautions for lifting loads over workers and work areas, use of tag lines, and hand signals.</p>	The following sections of the OHS Code apply: 59, 61, 63-64, 66-72, 74-76, 80-88, 90-96, 112-114.	<p>The sections the TWG recommended apply relate to the regulation of cranes, hoists, and lifting devices on farms and ranches.</p> <p>Sections not mentioned are addressed in separate TWG recommendations (see rows below).</p>
4-19	<p><u>Part 6 – Cranes, Hoists and Lifting Devices</u> Employer must ensure lifting devices have a plate or weatherproof label permanently secured to it listing the safe lifting capacity of the lifting device, as per the manufacturer’s/engineer’s specifications.</p>	Revise to allow the load capacity of lifting device identified by other means.	Load capacity identifiers (placards, plates, other) may not have existed or are missing. Allow other means to communicate this information to workers.

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4-19	<u>Part 6 – Cranes, Hoists and Lifting Devices</u> These sections refers to the use of a professional engineer to certify equipment (use, repair or modifications) .	Apply sections 60, 62 and 73 if government provides engineering inspection and certification services, education and support.	Conditional application of the certification requirements provided farmers can easily, and at little to no cost, get their equipment inspected and certified.
4-19	<u>Part 6 – Cranes, Hoists and Lifting Devices</u> This section refers to using manufacturers specifications or a professional engineer for load-bearing components of a mobile crane.	Apply section 89 if, government develops guidelines for non-destructive testing and a standard for decertifying and recertification of mobile cranes based on infrequent use.	Various threshold options were considered including equipment size and lift type along with infrequent use.
4-19	<u>Part 6 – Cranes, Hoists and Lifting Devices</u> These sections are related to chimney hoists, roofer's hoists, tower and building shaft hoists, tower cranes, and underground shaft hoists.	Exemption for sections 77-79 and 97-111 because equipment not found on farms.	The industry should be exempt from sections of the OHS Code that apply to equipment not used by the industry.
4-19	<u>Part 6 – Cranes, Hoists and Lifting Devices</u> If the primary purpose of the equipment is not for lifting it would not need to meet the requirements.	The TWG recommended an exemption from sections 65 and 73 for equipment whose primary purpose is other than lifting.	There are practical and economic barriers to professional engineering certification following repairs or modifications.
4-21	<u>Part 6 – Cranes, Hoists and Lifting Devices</u> Employers must ensure there is an electronic or paper log for each lifting device at a work site to track maintenance, length of service, and repairs.	<b>No recommendation made by TWG</b> 65 - Log books.	A log book records the use of a piece of equipment and therefore gives the worker a level of competence in the safety/viability of the equipment. Based on the potential for the creation of potentially additional work unsuitable for farms, no consensus recommendation was made by the TWG about the use of log books.
3-9	<u>Part 7 – Emergency Preparedness and Response</u> Generally, employers must establish a plan for any emergency that may require the rescue or evacuation of workers and ensure that all workers are aware of the plan.	The TWG recommended that the provisions around emergency preparedness apply to the farm and ranch sector.	The TWGs recommended that farmers must establish plans for responding to emergencies that may require rescue or evacuations. The TWG asked that government should provide education and tools to help industry understand the importance of and how to develop and use emergency plans.

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4-6	<p><u>Part 8 - Entrances, Walkways, Stairways and Ladders</u></p> <p>Entrances, walkways, stairways and ladders are important safety equipment for workers to access and egress from work sites including during emergencies.</p> <p>The design and construction of portable wooden ladders are outline in detail in the OHS Code.</p>	<p>The TWG recommended that general provisions regarding safety provisions related to entrances, walkways, stairways, and ladders can be applied with the following exceptions:</p> <ul style="list-style-type: none"> <li>• Legacy buildings and equipment grandfathered.</li> <li>• Fixed wooden ladders on farms and ranches that meet the requirements for constructed portable ladders should be exempt from the requirements of design criteria for fixed ladders.</li> <li>• Reorder sections 133 to 136.</li> </ul>	<p>The TWGs concluded that certain provisions are impractical and would create undue hardship in farm &amp; ranch communities.</p> <p>For example, if a fixed wooden ladder meets the requirements of a portable wooden ladder there, should be no need for engineering certification.</p>
4-24	<p><u>Part 9 - Fall Protection</u></p> <p>Procedures can be used in place of fall protection if it is not reasonably practicable to use a fall protection system such as during the installation or removal of a fall protection system.</p>	<p>The TWG recommended that general provisions on fall protection can be applied with the following exception: Allow 'other procedures' to be used in place of fall protection for situations where a worker must perform light duty work or inspections at the top of a storage bin.</p>	<p>The TWG recommendation requires employers in the farm &amp; ranch communities to ensure that workers are protected from falls at a temporary or permanent work site under the requirements of Part 9 of the Code (excluding storage bins) that while it would be possible to retrofit some bins, many obstacles were identified, including the short time period spent on bins.</p>
4-24	<p><u>Part 9 - Fall Protection</u></p> <p>Workers must only be lifted and lowered in equipment designed with fall protection.</p>	<p>Accommodate workers to be intermittently raised and lowered in the bucket of a loader without meeting the technical requirements of the worker being attached to a certified anchor.</p>	<p>The TWG recommendation noted that installing anchors that are in compliance for lifting workers for temporary light duty work may be problematic on equipment or platforms currently used.</p>
4-25	<p><u>Part 9 – Fall Protection</u></p> <p>A fall protection plan must be available to workers that includes procedures if a worker may fall three (3) metres or more and is not protected by guardrails.</p>	<p><b>No recommendation made by TWG</b></p> <p>140 – Fall protection plan.</p>	<p>Consensus could not be reached as to whether a fall protection plan should be mandated.</p>
4-25	<p><u>Part 9 – Fall Protection</u></p> <p>Use of fall protection procedures in lieu of fall protection equipment is allowed when it is not reasonably practical, for only specific activities and under strict conditions.</p>	<p><b>No recommendation made by TWG</b></p> <p>159 – Procedures in place of fall protection equipment.</p>	<p>Consensus could not be reached as to whether use of fall protection procedures should be mandated.</p>
3-10	<p><u>Part 10 – Fire and Explosion Hazards</u></p> <p>Under Part 10 of the Code, employers must ensure that flammable and combustible substances at the workplace have appropriate controls in place to ensure that workers are not harmed or equipment is damaged.</p>	<p>The TWG recommended that fire and explosion safety provisions from the Code generally applies; subject to the exceptions below.</p>	

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3-10	<p><u>Part 10 - Fire and Explosion Hazards</u> A professional engineer or a competent person authorized by an engineer may classify work areas in accordance with the Canadian Electrical Code.</p>	<p>Competence of farmers to determine the proper classification of a work site for fire and explosion hazards can be recognized for application of this section. A professional engineer is not required.</p>	<p>Under the OHS Code, a professional engineer must inspect a hazardous work site and ensure that that area is safe. Instead, the TWG recommended that hazard assessments should be carried out by “competent” workers (described on page 2).</p> <p>While the provisions can be applied to farms and ranches it is recommended that a guide or bulletin specific to agriculture is needed to assist employers with hazard assessment.</p>
3-10	<p><u>Part 10 - Fire and Explosion Hazards</u> Work permits are required for this type of work and must include information on the nature of the hazards, the atmospheric testing required, safe work procedures and any protective equipment required.</p>	<p>Hot work (work in which a flame is used or sparks or other sources of ignition may be produced) permits replaced with special provision that requires a hazard assessment and a safety plan to be completed.</p>	<p>Rather than require farmers to obtain a “hot work” permit, the TWG recommended that competent farmers be required to complete a hazard assessment/safety plan before beginning a welding project, for example.</p>
3-10	<p><u>Part 10 - Fire and Explosion Hazards</u> The employer must comply with the CSA standard for welding and torch cutting processes. This does not require a welder to be a journeyman welder.</p>	<p>Welding required credentials to be removed and replaced with special provision that applies a “competent worker” definition instead, and requires a hazard assessment and a safety plan to be completed.</p>	<p>The TWG held that It is not practicable to require journeyman welders or for skilled farmers and ranchers to take courses to continue to weld. Rather, a “competent” worker (described on page 2) can complete a hazard assessment/safety plan.</p>
3-10	<p><u>Part 10 - Fire and Explosion Hazards</u> An employer must ensure that welding equipment is assembled, used and maintained according to the manufacturer’s specifications.</p>	<p>Welding regarding manufacturer’s specifications provisions to modify and repurpose equipment are exempt and addressed in a specific part of the OHS Code for farms and ranches, which also apply hazard assessment as the cornerstone for addressing this exemption.</p>	<p>The TWGs recommended applying hazard assessment provisions as the cornerstone for addressing this exemption.</p>
3-10	<p><u>Part 10 - Fire and Explosion Hazards</u> Each hose of an oxygen-fuel system must have a flashback device is installed at either the torch end or the regulator end, and a back-flow prevention device is installed at the torch end.</p>	<p>Existing welding and cutting equipment with compressed and liquefied gas cylinders are considered legacy equipment and do not require flash back or back-flow prevention devices.</p>	

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3-10,11	<p><u>Part 11 - First Aid</u> First aid kits and training requirements are depend on distance from medical services, the nature of the hazards present and the number of workers on site. The specific requirements are included in Schedule 2 of the OHS Code, as per the following bulletin  <a href="https://work.alberta.ca/documents/OHS-bulletin-fa009.pdf">https://work.alberta.ca/documents/OHS-bulletin-fa009.pdf</a></p>	<p>The TWG recommended the general provisions in the Code can be applied with the following exceptions:</p> <p><i>First Aid Kits</i></p> <ul style="list-style-type: none"> <li>• A personal first aid kit is used for any number of workers working close to base.</li> <li>• A No. 2 first aid kit is used when there are 2 or more workers working more than 20 kilometres from base.</li> </ul> <p><i>Training</i></p> <ul style="list-style-type: none"> <li>• There is one Emergency First Aider when 2-9 workers are at the worksite.</li> <li>• There is one Emergency First Aider and one Standard First Aider when 10 or more workers are at the worksite.</li> </ul> <p><i>Emergency Transportation</i> Apply an effective means of communication instead of requiring a plan for emergency transportation except if there are more than 10 people more than 40km from base; require a stretch, blanket and splint.</p>	<p>The TWG made recommendations to provide first aid to workers when needed. Farms are often far from medical support so trained first aiders, first aid supplies and transportation need to be in place.</p> <p>The TWG consensus recommendation did not adopt the usage of “risk-ranking” of farms and ranchers that falls under Schedule 2 of the Code.</p>
4-26	<p><u>Part 12 – General Safety Precautions</u> Examples of general precautions under the Code include a worksite free of waste, adequate lighting to complete task safely, easy access to exits, and proper storage.</p>	Applies, apart from exceptions below.	
4-26	<p><u>Part 12 – General Safety Precautions</u> Workers are required to not create undue hazards under section 2(2) of the <i>OHS Act</i>.</p>	Reword section 185 to clarify the intent that requires workers to not create undue hazards.	Workers should clean up after themselves and not create undue hazards for fellow workers and other on the farm.
4-26	<p><u>Part 12 – General Safety Precautions</u> Alternative types of emergency lighting are already permitted.</p>	Update section 186 to allow for alternate types of emergency lighting.	Alternative means of lighting that recognize new technology should be considered.
4-26	<p><u>Part 12 – General Safety Precautions</u> Employer ensures that erection drawings and procedures for a project includes connecting structural parts and certified by a professional engineer.</p>	Skeleton structures apply engineering requirements only if required by Alberta Building Code, municipal planning and building bylaws.	The requirement for engineered stamped plans and designs does not make sense for uncomplicated structures.

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4-27	<u>Part 12 – General Safety Precautions</u> Employer must ensure that vehicle traffic is controlled to protect workers. Workers controlling traffic must wear high visibility clothing and use signal lights if there is poor visibility.	<b>No recommendation made by TWG</b> 194 – Vehicle traffic control.	Some members of the TWG held that the use of reflective materials should be recommended, not mandated. The TWG did not reach consensus on this item.
4-6	<u>Part 13 – Joint Work Site Health and Safety Committee</u> Joint work site health and safety committees are only required through a Ministerial Order.	Applies only if a Ministerial Order is withdrawn after five years of compliance.	The TWGs agreed that a remedy to deal with “bad actors” was necessary, but that five years was a substantial time period to demonstrate compliance.
3-11	<u>Part 14 – Lifting and Handling Loads</u> Employers are to provide appropriate equipment that will help workers lift, push, pull, carry, handle or transport heavy or awkward loads.	The TWG recommended that this section should apply to the farm and ranch sector.	
4-8	<u>Part 15 – Managing the Control of Hazardous Energy</u> Control of hazardous energy or “locking out” applies to machinery, equipment and power mobile equipment.	The TWG recommended that this section should apply to the farm and ranch sector.	
3-11	<u>Part 16 – Noise Exposure</u> Noise is a recognized hazard which must be assessed, eliminated and controlled to reduce worker exposure to noise to prevent hearing loss.	The TWG recommended that this section should apply to the farm and ranch sector, apart from separate TWG recommendations. Section 217 regarding noise control design.	The testing identified would only be required if the hazard assessment and controls are inadequate to control noise.
3-11	<u>Part 16 – Noise Exposure</u> Requires testing of noise exposure levels and controls to be used to reduce exposure.	Add or change wording relating to application of sections 217 – 220 regarding audiometric testing only necessary if a hazard assessment identifies controls cannot solve the problem.	Language in section implies experts must be hired to conduct noise testing.
3-12	<u>Part 16 - Noise Exposure</u> New worksites or changes to equipment must be designed and built to minimize worker noise exposure.	The TWG recommended that this section should apply to the farm and ranch sector with the following exception: A grandfather clause be provided (12 months after the OHS Code comes in-force).	Allows for alterations, renovations or repairs that have already begun or work processes or equipment that have already been introduced at a work site.
3-12	<u>Part 17 – Overhead Power Lines</u> Employer must ensure workers and equipment stay at least the minimum distance from overhead lines.	The TWG recommended that this section should apply to the farm and ranch sector.	

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3-12	<u>Part 18 – Personal Protective Equipment</u> If a hazard assessment indicates that personal protective equipment is required, the employer is to ensure that the worker is trained to wear and use it.	The TWG recommended that this section should apply to the farm and ranch sector.	
4-10	<u>Part 19 - Powered Mobile Equipment</u> Specific equipment over 700kg must have rollover protective structures (ROPS) and falling object protective structures (FOPS).	The TWG recommended that this section should apply to the farm and ranch sector with the following exception: Legacy equipment is exempt.	Rollover protective structures (ROPS) and falling object protective structures (FOPS) should be exempted for 12 months past the implementation date of the OHS Code.
4-9, 10	<u>Part 19 – Powered Mobile Equipment</u> Powered mobile equipment legislation includes operator responsibilities, safety equipment, hazardous loads, all-terrain and snow vehicles, and personal vehicles.	The following sections apply: 256 (except 256(3)), 258(1-2), 259, 260(1-4), 262, 265, 266, 268, 269, 270(3), 271, 274, 277, 279 (except 279(1)(c) and 279(2)(c)), 280-284, 290.1. Sections not mentioned are addressed in separate recommendations.	
4-9	<u>Part 19 – Powered Mobile Equipment</u>	The TWG recommended exempting pile driving equipment and practices as this is not a farming or ranching activity.	
4-9	<u>Part 19 – Powered Mobile Equipment</u>	Exempt concrete pump trucks as they are not farm equipment.	
4-10	<u>Part 19 - Powered Mobile Equipment</u> Tank trucks containing flammable, combustible or explosive materials are bonded <u>and</u> grounded while loading lines are connected, transferring contents and disconnected.	Tank truck standard section 278 applies with the following exception: Operator must ensure that a tank truck containing flammable, combustible or explosive materials is bonded <u>or</u> grounded.	Safety can be achieved by bonding <u>or</u> ground as opposed to both.

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TWG Report & Page Reference	Existing OHS Code Requirement	TWG Recommendation for Adopting, Modifying, or Exempting the Farm and Ranch Industry	Additional Context
4-10	<p><u>Part 19 - Powered Mobile Equipment</u> Employers must ensure workers are protected from dangerous equipment of equipment, moving parts are secured, equipment is not unattended when activated, equipment operated during darkness has sufficient light, equipment must have warning signals or a signaler and workers are secured in or on moving equipment.</p>	<p>The TWG recommended that this section should apply to the farm and ranch sector, if following a hazard assessment, it is determined compliance with the below is not reasonably practicable, safe alternative practices/mechanisms may be used or manufacturer's specifications may be relied upon, that includes:</p> <ul style="list-style-type: none"> <li>○ Dangerous movements of vehicles.</li> <li>○ Maintenance on elevated parts.</li> <li>○ Unattended equipment.</li> <li>○ Lights.</li> <li>○ Warning signals.</li> <li>○ Worker transportation while in operation.</li> </ul>	
4-10	<p><u>Part 19 - Powered Mobile Equipment</u> Equipment can only be refueled while running if the manufacturer's specifications or those of a professional engineer permit it.</p>	<p>Allow hot refueling of diesel powered mobile equipment.</p>	<p>Some equipment with interconnected navigation systems and computers will require rebooting if they are shut down to refuel.</p>
4-10	<p><u>Part 19 – Powered Mobile Equipment</u> Person(s) must not ride on top of a load that is being moved.</p>	<p>The TWG recommended the wording of section related to riding on loads be modified to mirror section 28.50 of the <u>British Columbia OHS Regulation</u> regarding the transportation of workers:  <i>"28.50 (1) Despite section 16.31 and Part 17 (Transportation of Workers), a worker may be transported on farm land, on mobile equipment not designed for the transportation of workers, if</i>  <i>(a) the worker is safely seated, and</i>  <i>(b) the equipment is not operated at more than 10 km/h (6 mph).</i>  <i>(2) A worker must not ride on</i>  <i>(a) a tongue or drawbar connected to equipment in tandem, or</i>  <i>(b) a bucket, forks or other equipment that pose a risk of injury to the worker."</i></p>	<p>Some equipment is designed for this purpose, and provincial traffic laws allow transportation in the back of pickup trucks on farms.</p>

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TWG Report & Page Reference	Existing OHS Code Requirement	TWG Recommendation for Adopting, Modifying, or Exempting the Farm and Ranch Industry	Additional Context
4-12	<u>Part 19 – Powered Mobile Equipment</u> Seat belts must be used if equipped on powered mobile equipment.	<b>No recommendation made by TWG</b> 256 – Operator responsibilities.	
4-13	<u>Part 19 – Powered Mobile Equipment</u> Visual inspection is required to ensure powered mobile equipment is in safe condition and workers are not endangered.	<b>No recommendation made by TWG</b> 257 – Visual inspection.	
4-13	<u>Part 19 – Powered Mobile Equipment</u> A record of inspection and maintenance (as per manufacturer’s specifications) is available to workers who operate the equipment.	<b>No recommendation made by TWG</b> 260 – Inspection and maintenance.	
4-13	<u>Part 19 – Powered Mobile Equipment</u> Employer must ensure additions or modifications are completed as per manufacturer’s specifications or professional engineer certification.	<b>No recommendation made by TWG</b> 270 – Rollover protective structures.	
4-5	<u>Part 20 – Radiation Exposure</u> Employers are required to develop and implement safe work procedures for a radiation source.	The TWG recommended that this section should apply to the farm and ranch sector.	
4-18	<u>Part 21 - Rigging</u> Employers must ensure all rigging activities are conducted with appropriate equipment and in a safe manner.	The TWG recommended that this section should apply to the farm and ranch sector with the following exception: Apply rigging requirements to “hoisting” weights over 2000 kg or lifting over workers or at heights with potential negative impacts on property or persons	Rigging requirements directed to industrial lifting of heavy weights.
4-15	<u>Part 22 – Safeguards</u> Any machine part or process that may cause injury must be guarded.	The TWG recommended that this section should apply to the farm and ranch sector, apart from exceptions below.	
4-15	<u>Part 22 - Safeguards</u> This condition already exists in this section of the legislation.	Add a ‘reasonably practicable’ condition to the requirement for safeguards.	
4-15	<u>Part 22 - Safeguards</u> This is permitted in this section of the legislation.	Allow administrative procedures if they offer equal or greater protection.	
4-15	<u>Part 22 - Safeguards</u> This is included in policy, as noted in the Explanation Guide. <a href="https://work.alberta.ca/documents/WHS-LEG_ohsc_p22.pdf">https://work.alberta.ca/documents/WHS-LEG_ohsc_p22.pdf</a>	Clarify that the intent is to protect workers from falling, not the flexing of guardrail.	

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TWG Report & Page Reference	Existing OHS Code Requirement	TWG Recommendation for Adopting, Modifying, or Exempting the Farm and Ranch Industry	Additional Context
4-15	<u>Part 22 - Safeguard</u> Safeguards apply to any situation where a worker could fall.	Apply a reasonably practicable standard for safeguards to prevent a worker from falling into bins/hoppers.	Allow farmers to set boundaries, fences and administrative procedures where guards are not used.
4-15	<u>Part 22 - Safeguards</u> Default of OHS Code is to refer to the manufacturer's specification.	Provide exemption where manufacturer's specifications do not allow for such safeguards.	
4-15	<u>Part 22 – Safeguards</u> This is considered in the definition of reasonably practicable.	Consider the cost of upgrading machinery in implementation of regulatory changes.	
4-22	<u>Part 23 – Scaffolds and Temporary Work Platforms</u> Employers are to ensure that scaffolds to be used as working platforms comply with a Canadian Safety Standard (CSA).	The TWG recommended that this section should apply to the farm and ranch sector, apart from exceptions below.	
4-22	<u>Part 23 - Scaffolds and Temporary Work Platforms</u> Tags are required at each entry and exit point of a scaffold to indicate the safety level, date tag was placed, and updated when conditions change or at least every 21 days.	No tags required when the only persons with access are those who erected it or are in the process of erecting it.	On small farms where the persons performing the tasks are the same erecting the scaffolding, tagging seems onerous.
4-22	<u>Part 23 – Scaffolds and Temporary Work Platforms</u> This condition already exists in this section of the legislation.	Allow work to be performed from a portable ladder used to access a scaffold.	The TWG noted that a portable ladder can be used for its intended purpose and provide scaffolding access.
4-23	<u>Part 23 – Scaffolds and Temporary Work Platforms</u> Employer must ensure a work platform mounted on the forks of equipment is securely attached and is commercially manufactured or certified by a professional engineer.	<b>No recommendation made by TWG</b> 349 – Fork-mounted work platforms.	
4-27	<u>Part 24 – Toilets and Washing Facilities</u> Employers have a responsibility to provide toilets and hand washing facilities.	The TWG recommended that this section should apply to the farm and ranch sector, apart from exceptions below.	
4-28	<u>Part 24 – Toilets and Washing</u> Employer must ensure that a work site has toilet facilities available to workers.	Outdoors are an acceptable washroom facility when regular facilities are not reasonably close to location of work.	
4-28	<u>Part 24 -Toilets and Washing</u> Employer must ensure that single-use towels of cloth or paper, or air hand drying equipment, is available.	On many small farms the worker's washroom is a shared bathroom in the employer's house.	The norm in residences is to use cloth towels as opposed to paper towels. The revised section should accommodate this.

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TWG Report & Page Reference	Existing OHS Code Requirement	TWG Recommendation for Adopting, Modifying, or Exempting the Farm and Ranch Industry	Additional Context
4-28	<u>Part 24 - Toilets and Washing Facilities</u> Employer must ensure that an adequate supply of potable water is available to workers at the work site.	It is the worker's duty to protect their own health by carrying and drinking adequate fluids in addition to employer's duties.	Many farm workers spend large amounts of time on their own and unsupervised.
4-17	<u>Part 25 – Tools, Equipment and Machinery</u> Employer and worker responsibilities regarding the safe handling of tools, equipment and machinery that could create a hazard to the worker.	The TWG recommended that this section should apply to the farm and ranch sector, apart from exceptions below.	
4-17	<u>Part 25 - Tools, Equipment and Machinery</u> Employer must ensure the design, installation, operation, and maintenance of industrial robots comply with a 3 <sup>rd</sup> party standard.	All sections where an employer must ensure the design, installation, operation, and maintenance of industrial robots should be developed in consultation with operators and manufacturers of robotic machinery.	
4-17	<u>Part 25 – Tools, Equipment and Machinery</u> A worker may wear a medical alert bracelet that has a breakaway or tear away band.	Amend to account for medical alert identifiers other than bracelets that could come into contact with machinery.	
4-17	<u>Part 25 - Tools, Equipment and Machinery</u> Employers must ensure machinery and equipment used to raise and lower workers is designed for that purpose by the manufacturer or certified by a professional engineer.	For short term repairs (i.e. changing corral light bulbs) of an intermittent basis that workers be raised and lowered in loader buckets provided a hazard assessment is done and fall protection is provided.	Situations where the work is of short duration and intermittent that the use of loaders should be appropriate.
4-17	<u>Part 25 – Tools, Equipment and Machinery</u> Flexibility exists for warning lights and alarm systems.	Provide flexibility on use of warning lights and alarm system to indicate movement of machines and machine parts.	Concerns with loud noises adversely impacting livestock.
4-17	<u>Part 25 – Tools, Equipment and Machinery</u> This is included in the definition.	Applies if “positive means to prevent activation of equipment” includes mechanically or electronically disengaging the motor from the processing equipment.	
4-17	<u>Part 25 - Tools, Equipment and Machinery</u> A worker must not shift a drive belt on a machine manually while the machine or motor is energized.	Allow for shifting of drive belts while the machine or motor is energized and such shifting can be done safely.	Some pieces of equipment are equipped with levers which allow the motor or mechanism to be in motion while this occurs.
3-12	<u>Part 26 – Ventilation Systems</u> Mechanical ventilation systems are used to control worker exposure of hazardous substances or atmospheres and must meet minimum requirements.	The TWG recommended that this section should apply to the farm and ranch sector.	

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3-13	<u>Part 27 – Violence</u> Development of written policy and procedures respecting potential workplace violence.	The TWG recommended that this section should apply to the farm and ranch sector, apart from exception below.	
3-13	<u>Part 27 – Violence</u> Psychological hazards, including harassment and bullying, are included in the definition of “hazard” but not specifically mentioned.	Definition of violence in the OHS Code amended to include non-physical violence.	
3-13	<u>Part 28 – Working Alone</u> Employers are to assess the work site to eliminate or minimize hazards associated with working alone.	The TWG recommended that this section should apply to the farm and ranch sector.	
3-13	<u>Part 29 – WHMIS</u> Employers must ensure controlled products at the worksite are used, stored, and handled as per manufacture’s requirements and that workers are trained to handle the controlled products. This is federal legislation mirrored in provincial requirements for enforcement.	The TWG recommended that this section should apply to the farm and ranch sector.	
3-13	<u>Part 35 – Health Care and Industries with Biological Hazards</u> Must not recap waste needles.	The TWG recommended that this section should apply to the farm and ranch sector in full, except section 527 regarding recapping needles.	Some needles are designed for multiple use.
3-13	<u>Part 35 – Health Care and Industries with Biological Hazards</u>	A section in the Explanation Guide specific to farming and ranching should be developed.	

## Contact Us

### OHS Contact Centre

Edmonton & Surrounding area

- 780-415-8690

Throughout Alberta

- 1-866-415-8690

Deaf or hearing impaired:

- 780-427-9999 (Edmonton)
- 1-800-232-7215 (Alberta)

### Website

[work.alberta.ca/ohs](http://work.alberta.ca/ohs)

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